

26 April 2021

Senator Sarah Hanson-Young
Chair

Senate Environment and Communications References Committee

By email: ec.sen@aph.gov.au

Dear Chair

I refer to your 6 April 2021 letter relating to the Australia Post inquiry (Inquiry) being undertaken by the Committee, and general concerns expressed in that letter in relation to the treatment by Australia Post of potential witnesses to the Inquiry. I also refer to questions asked by Senator Carr during the 13 April 2021 Inquiry hearing relating to an Australia Post lawyer seeming, to the Senator, to have sought access to Inquiry submissions outside of Senate standing orders.

In response to the questions asked, Australia Post's General Counsel and Corporate Secretary, Mr Nick Macdonald, stated his understanding to be that the concern related to a communication made outside the context of the Inquiry, in relation to a dispute with a contractor in which the contractor advised Australia Post it had written to Parliament about its concerns, and the lawyer concerned was asking for more information (Request). This response was based on information obtained on 23 March 2021 from the lawyer concerned.

Since the 13 April 2021 Inquiry hearing, consultation with key personnel involved in managing the dispute with the contractor has identified that some Australia Post personnel were on 25 March 2021 advised by the contractor that it had made a submission to the Inquiry. In the same communication on that date –over a fortnight after the Request was made on 10 March 2021 – the contractor also sent an unsolicited copy of its Inquiry submission to some Australia Post personnel.

Australia Post personnel have not questioned or in any way expressed concern or interest with the contractor about its submission to, or participation in, the Inquiry. Further, Australia Post personnel are unaware of any reprisal, penalty or disadvantage to the contractor on account of its communication with Parliament or participation in the Inquiry. Australia Post's position on the dispute, which was communicated to the contractor prior to Inquiry's existence, remains unchanged as a consequence of the Inquiry or any engagement by the contractor with Parliament or its members.

The Request was made solely in the context of the dispute and was not made with the objective of discouraging or vetting the submission of evidence to the Committee or participation in the Inquiry, or of otherwise interfering with Parliamentary processes.

Australia Post takes its responsibilities to Parliament extremely seriously and again acknowledges the importance of ensuring potential witnesses are not discouraged from participating in Parliamentary proceedings or otherwise interfered with in connection with such participations.

Australia Post has sent a targeted communication relating to this issue to key personnel involved in managing the dispute with the contractor. The communication noted the importance of the organisation's responsibilities to Parliament and reminded its recipients that an employer must not interfere or seek to influence employees in respect to their participation in parliamentary proceedings, or the evidence they may provide. To address a concern specifically identified in your letter – the communication also reminded its recipients that an employer must not demand to see or 'vet' an employee's evidence as such action could constitute interference.

This action supplements the measures that Australia Post has already implemented to ensure that senior staff within the organisation are appropriately familiar with parliamentary procedures and the law in relation to submitters and witnesses to Parliamentary inquiries – including via:

- communication with our people leaders in relation to the Inquiry, including to reference the key themes referred to in your letter;

- ensuring the Board is aware of your letter, Australia Post's response and the communication to people leaders referred to above; and
- training made available to key leaders, and others typically involved in assisting with Parliamentary processes.

Should the Committee become aware of any further matters or evidence of concern in relation to these issues, Australia Post would appreciate advice of same so that it can consider whether any further steps should be taken.

I would be pleased to discuss this matter with you or other members of the Committee further if doing so would assist.

Sincerely,

Mr Rodney Boys
Acting Group Chief Executive Officer and Managing Director
Australia Post